

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

EVAN AULD-SUSOTT, AS  
TRUSTEE FOR (1) IRREVOCABLE  
LIFE INSURANCE TRUST OF JOHN  
L. SUSOTT & KATHRYN C.  
SUSOTT UAD 8/17/1988 AS  
RESTATED, EXEMPT TRUST FBO  
DANIEL C. SUSOTT, & (2)  
IRREVOCABLE LIFE INSURANCE  
TRUST OF JOHN L. SUSOTT &  
KATHRYN C. SUSOTT UAD  
8/17/1988 AS RESTATED; AND  
JOHN L. SUSOTT,

Plaintiffs,

vs.

LAURYN GALINDO, DANIEL C.  
SUSOTT,

Defendants.

CIV. NO. 20-00270 LEK-RT

SUPPLEMENT TO FINDINGS  
AND RECOMMENDATION TO  
GRANT PLAINTIFFS' MOTION  
FOR TAXATION OF  
ATTORNEYS' FEES AND  
AWARD PREJUDGMENT  
INTEREST

**SUPPLEMENT TO FINDINGS AND RECOMMENDATION TO  
GRANT PLAINTIFF'S MOTION FOR TAXATION OF  
ATTORNEYS' FEES AND AWARD PREJUDGMENT INTEREST**

On February 28, 2022, this Court issued its Findings and Recommendation  
to Grant Plaintiffs' Motion for Taxation of Attorneys' Fees and Award  
Prejudgment Interest ("F&R") and directed Plaintiffs to submit a supplemental  
filing showing their calculations of the prejudgment interest they requested. ECF

No. 125. On March 7, 2022, Plaintiffs filed their Supplemental Memorandum in Support of Plaintiffs' Motion for Taxation of Attorneys' Fees and Award of Prejudgment Interest ("Supplemental"). ECF No.126. Plaintiffs provided as exhibits to their Supplemental the real property tax assessments and appraisal of the Subject Property.<sup>1</sup> Plaintiffs also provided the numbers and calculations showing how their proposed prejudgment interest was calculated.

Defendants were provided with the opportunity to respond to Plaintiffs' Supplemental but the Court limited any response to two pages, double-spaced, and expressly limited any argument to potential calculation errors in Plaintiffs' Supplemental. ECF No. 125. Defendants did not submit a response to the Supplemental, but on March 14, 2022, Defendants filed a Motion for Reconsideration of this Court's F&R ("Motion for Reconsideration"). In the Motion for Reconsideration, Defendants state that they "have not seen any calculation errors in plaintiffs' supplemental filing filed on March 7, 2022." ECF No. 127-1 at PageID #: 1915. After a careful review of the Supplemental and noting that Defendants do not object to Plaintiffs' calculation of the prejudgment interest, this Court RECOMMENDS that the district court GRANT prejudgment interest in the amount of \$122,472.43.

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<sup>1</sup> The Subject Property is the property located at 3880 Wyllie Road, Apartment 6A, Princeville HI 96722, TMK (4) 5-4-005-018 CPR 0020 ("Subject Property").

IT IS SO FOUND AND RECOMMENDED.

DATED: Honolulu, Hawaii, April 29, 2022.



A blue ink signature of the name "Rom A. Trader".

Rom A. Trader  
United States Magistrate Judge

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Civ. No. 20-00270 LEK-RT; *Evan Auld-Susott, et al. vs. Lauryn Galindo, et al.*;  
Supplement to Findings and Recommendation to Grant Plaintiffs' Motion for  
Taxation of Attorneys' Fees and Award Prejudgment Interest